

**FOLEY**RECEIVED  
CENTRAL FAX CENTERJUL 21 2004  
OFFICIALFOLEY & LARDNER LLP  
ATTORNEYS AT LAW11250 EL CAMINO REAL, SUITE 200  
SAN DIEGO, CA 92130  
P.O. BOX 80278  
SAN DIEGO, CALIFORNIA 92138-0278  
TELEPHONE: 858.847.6700  
FACSIMILE: 858.792.6773  
WWW.FOLEY.COM

## FACSIMILE TRANSMISSION

Total # of Pages 25 (including this page)

TO:	PHONE #:	FAX #:
Mail Stop Amendment U.S. Patent and Trademark Office		703.872.9306

From : Lauren Nguyen

Date : July 21, 2004

Client/Matter No : 039386-0112 (PF-0662USN)

USSN : 09/889,616

Filing Date : 1/28/2000

Examiner : David Steadman

User ID No : 4168

OFFICIAL

Transmitted herewith for filing in the above-referenced application are the following.

- 1) Transmittal (2 pages); and
- 2) Amendment (22 pages).

Thank you.

If there are any problems with this transmission or if you have not  
received all of the pages, please call (858) 847-6756.

Operator:

Time Sent:

Return Original To:

Line S. Gauthier

CONFIDENTIALITY NOTICE: THE INFORMATION CONTAINED IN THIS FACSIMILE MESSAGE IS INTENDED ONLY FOR THE PERSONAL AND CONFIDENTIAL USE OF THE DESIGNATED RECIPIENTS NAMED ABOVE. THIS MESSAGE MAY BE AN ATTORNEY-CLIENT COMMUNICATION, AND AS SUCH IS PRIVILEGED AND CONFIDENTIAL. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT OR ANY AGENT RESPONSIBLE FOR DELIVERING IT TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT YOU HAVE RECEIVED THIS DOCUMENT IN ERROR, AND THAT ANY REVIEW, DISSEMINATION, DISTRIBUTION OR COPYING OF THIS MESSAGE IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE TO US BY MAIL. THANK YOU.

RECEIVED  
CENTRAL FAX CENTER

OFFICIAL

JUL 21 2004

Atty. Dkt. No. 039386-0112  
(PF-0662 USN)**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Tang, Y. Tom et al.

Title: NUCLEIC-ACID BINDING  
PROTEIN

Appl. No.: 09/889,616

Filing Date: 1/28/2000

Examiner: David Steadman

Art Unit: 1652

<b>CERTIFICATE OF FACSIMILE TRANSMISSION</b> I hereby certify that this paper is being facsimile transmitted to the United States Patent and Trademark Office, Alexandria, Virginia on the date below.  <u>Line Gauthier</u> (Printed Name)  <u><i>Line Gauthier</i></u> (Signature)  <u>July 21, 2004</u> (Date of Deposit)
--

**AMENDMENT TRANSMITTAL**Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an amendment in the above-identified application.

[ X ] The fee required for additional claims is calculated below:

	Claims As Amended		Previously Paid For		Extra Claims Present		Rate		Additional Claims Fee
Total Claims:	6	-	23	=	0	x	\$18.00	=	\$0.00
Independent Claims:	1	-	3	=	0	x	\$86.00	=	\$0.00
First presentation of any Multiple Dependent Claims:						+	\$290.00	=	\$0.00
CLAIMS FEE TOTAL									= \$0.00

Atty. Dkt. No. 039386-0112  
(PF-0662 USN)

	EXTENSION FEE TOTAL:	\$0.00
<input type="checkbox"/>	Statutory Disclaimer Fee under 37 C.F.R. 1.20(d):	\$110.00
	CLAIMS, EXTENSION AND DISCLAIMER FEE TOTAL:	\$0.00
<input type="checkbox"/>	Small Entity Fees Apply (subtract ½ of above):	\$0.00
	TOTAL FEE:	\$0.00

☒ The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872. If any extensions of time are needed for timely acceptance of papers submitted herewith, applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 50-0872.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date July 21, 2004

By 

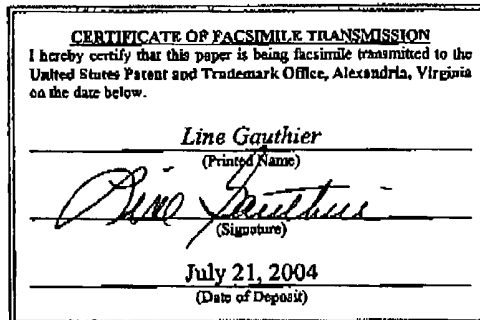
FOLEY & LARDNER LLP  
Customer Number: 30542  
Telephone: (858) 847-6716  
Facsimile: (858) 792-6773

Lien-Chi A. Nguyen  
Attorney for Applicant  
Registration No. 54,337

Atty. Dkt. No. 039386-0112  
(PF-0662 USN)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Applicant:** Tang, Y. Tom et al.  
**Title:** NUCLEIC-ACID BINDING  
PROTEIN  
**Appl. No.:** 09/889,616  
**Filing Date:** January 28, 2000  
**Examiner:** David Steadman  
**Art Unit:** 1652



**AMENDMENT AND REPLY UNDER 37 CFR 1.111**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This communication is responsive to the Non-Final Office Action dated April 21, 2004, concerning the above-referenced patent application.

**Amendments to the Specification** begin on page 2 of this document.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 4 of this document.

**Remarks** begin on page 8 of this document.

**Arguments** begin on page 10 of this document.

Please amend the application as follows: